

Message Text

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PAGE 01 STATE 127851
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O 202004Z MAY 78 ZFF4
FM SECSTATE WASHDC
TO AMEMBASSY MOSCOW NIACT IMMEDIATE
AMCONSUL LENINGRAD NIACT IMMEDIATE
USMISSION USUN NEW YORK NIACT IMMEDIATE

C O N F I D E N T I A L STATE 127851

E.O. 11652: GDS

TAGS: ASEC, UR, US (CHERNYAYEV, RUDOLF) (ENGER, VALDIK)

(ZINYAKIN, VLADIMIR)
SUBJECT: SOVIETS DETAINED IN ESPIONAGE CASE
1. AT 2:20 PM, MAY 20, FBI PICKED UP SMUN ATTACHE VLADIMIR
ZINYAKIN, AND UN SECRETARIAT EMPLOYEES RUDOLF CHERNYAYEV AND
VALDIK ENGER IN ESPIONAGE OPERATION IN
NEW JERSEY. ZINYAKIN IS BEING RELEASED UPON IDENTIFYING HIM-
SELF AS SMUN OFFICER WITH DIPLOMATIC IMMUNITY, BUT USG PLANS
TO HOLD CHERNYAYEV AND ENGER, WHO AS UN SECRETARIAT EM-
PLOYEES DO NOT ENJOY IMMUNITY FROM CRIMINAL PROSECUTION.

2. DEPARTMENT IS CALLING IN SOVIET EMBASSY AT HIGHEST LEVEL
AVAILABLE TO INFORM SOVIET GOVERNMENT OF ARRESTS AND PRESENT
FOLLOWING NOTE:

3. QUOTE. THE DEPARTMENT OF STATE CONSIDERS IT NECESSARY
TO STATE THE FOLLOWING TO THE EMBASSY OF THE UNION OF
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PAGE 02 STATE 127851

SOVIET SOCIALIST REPUBLICS:

ON MAY 20, 1978, VALDIK ALEKSANDROVICH ENGER AND RUDOLF
PETROVICH CHERNYAYEV, SOVIET CITIZENS EMPLOYED BY THE UNITED
NATIONS, AND VLADIMIR PETROVICH ZINYAKIN, A DIPLOMAT
ASSIGNED TO THE SOVIET MISSION TO THE UNITED NATIONS, WERE
APPREHENDED IN NEW JERSEY BY U.S. LAW ENFORCEMENT OFFICERS

WHILE ENGAGING IN AN ACT OF ESPIONAGE. PREVIOUS INVESTIGATION DETERMINED THAT THESE THREE INDIVIDUALS HAD CONSPIRED TO OBTAIN ON BEHALF OF THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS INFORMATION RELATING TO THE NATIONAL DEFENSE OF THE UNITED STATES.

THE DEPARTMENT OF STATE PROTESTS THESE ACTS OF ESPIONAGE BY ENGER AND CHERNYAYEV, WHICH ARE IN CLEAR VIOLATION OF THEIR STATUS IN THE UNITED STATES UNDER THE CHARTER OF THE UNITED NATIONS AND THE HEADQUARTERS AGREEMENT BETWEEN THE UNITED NATIONS AND THE UNITED STATES GOVERNMENT. THESE ACTS ARE ALSO IN VIOLATION OF THE LAWS OF THE UNITED STATES; THE INDIVIDUALS CONCERNED WILL BE DEALT WITH ACCORDINGLY.

THE EMBASSY IS HEREBY INFORMED, IN ACCORDANCE WITH ARTICLE 12 OF THE CONSULAR CONVENTION IN FORCE BETWEEN THE UNITED STATES AND THE USSR, OF THE ARREST OF ENGER AND CHERNYAYEV.

THE DEPARTMENT OF STATE ALSO PROTESTS THE ACTS OF ESPIONAGE COMMITTED BY ZINYAKIN, WHICH ARE CLEARLY AN ABUSE OF THE PRIVILEGE OF HIS RESIDENCE, AND REQUESTS THAT THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS INFORM THE GOVERNMENT OF THE UNITED STATES OF STEPS
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 127851

THAT WILL BE TAKEN TO TERMINATE HIS STATUS AND EFFECT HIS DEPARTURE FROM THE UNITED STATES.

AT THE SAME TIME THE DEPARTMENT EXPRESSES ITS DEEP AND CONTINUING CONCERN OVER SUCH ACTIONS, WHICH CALL INTO QUESTION THE MOTIVES AND INTENTIONS OF THE SOVIET GOVERNMENT. IN ITS NOTES OF NOVEMBER 21, 1977 AND DECEMBER 23, 1977, REGARDING THE CASES OF LISIN AND AVDYUNIN, THE DEPARTMENT INSISTED THAT THE SOVIET AUTHORITIES ENSURE THAT THIS TYPE OF ACTIVITY CEASE. THE DEPARTMENT DEMANDS AGAIN THAT THESE ACTIVITIES, WHICH ARE CONTRARY TO THE IMPROVEMENT OF U.S.-SOVIET RELATIONS, BE STOPPED IMMEDIATELY.
END QUOTE.

4. WE WILL KEEP YOU INFORMED OF DEVELOPMENTS.

5. AMBASSADOR TOON IS INFORMED. VANCE

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